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I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on November 3, 2008:

Name: Sheryl L. Hutchings

Signature: Sheryl L. Hutchings

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Naoki Muramatsu et al.

Appln. No.: 10/584,420

Filed: June 4, 2007

For: COMMUNICATION
TERMINAL AND PROGRAM
THEREFOR

Examiner: LeChi Truong

Art Unit: 2194

Confirmation No.: 9445

Attorney Docket No: 9683/268

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AF

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(d), Applicants hereby cite the following reference(s):

OTHER ART – NON PATENT LITERATURE DOCUMENTS

Office Action issued September 2, 2008, in Japanese Patent Application No. 2003-435420) (with English language translation), 6 pgs.

Kenichi Mori, Mechanism of 3G cellular phone (17), Nikkei Communication, Japan, Nikkei BP, Dec. 2, 2002, Vol. 379, page 128, 129.

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). Pursuant to the undersigned attorney's obligation and duties under 37 C.F.R. §§ 1.56 and 1.98(a)(3) and (c), an English language translation is included for the Japanese Office Action issued September 2, 2008. Pursuant to 37 C.F.R. §1.98(a)(3)(i), Applicants submit the following concise explanation of relevance of non-patent document Kenichi Mori,

Mechanism of 3G cellular phone (17), Nikkei Communication, Japan, Nikkei BP, Dec. 2, 2002, Vol. 379, page 128, 129: In connection with the present application, the non-patent document, Kenichi Mori, Mechanism of 3G cellular phone (17), Nikkei Communication, Japan, Nikkei BP, Dec. 2, 2002, Vol. 379, page 128, 129, discloses a cellular telephone which downloads and executes applications on KVM. Particularly, the document discloses an operating system, a class library, a JAM, a JAR storage, and a scratch pad. Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

Applicants hereby certify pursuant to 37 CFR §1.97(e)(1) that no item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this Information Disclosure Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference). Applicants have further calculated a processing fee in the amount of \$180.00 to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicants have enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

Nov. 3, 2008
Date

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